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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAN ZOOKIN, an individual,

Plaintiff,

vs.

CSAA GENERAL INSURANCE
COMPANY, a foreign corporation; DOE
EMPLOYEES I-V; ROE
CORPORATIONS I-V,

Defendants.

CASE NO. 2:24-cv-914

**STIPULATED JOINT DISCOVERY
PLAN AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Pursuant to Local Rule 26-1(d) and (e), as well as Fed.R.Civ.P.26(f), counsel for the parties conducted a Rule 26(f) discovery conference on January 28, 2025. After conferring about the case, the parties submit the following Stipulated Joint Discovery Plan and Scheduling Order.

1. **Initial Disclosures:** The parties will exchange Rule 26(a) disclosures within 14 days of their Rule 26(f) conference, and no later than **February 11, 2025**.

2. **Discovery Cutoff Date:** LR 26-1(e)(1) provides that “unless otherwise ordered, discovery periods longer than one hundred eighty (180) days from the date the first defendant answers or appears will require special scheduling review.” The Parties jointly request a change to LR 26-1(e)(1) to extend the discovery period. Defendant filed its Petition for Removal on May 15, 2024. The Parties conferred as to the scope of discovery that will need to be conducted in this matter and concluded that additional time is required to obtain all necessary records from non-parties, and to conduct multiple depositions

including those of Defendant's employees, all of whom work remotely and do not reside in Nevada. These documents and depositions are essential to the Parties' expert discovery. Thus, additional time is necessary to develop the Parties' respective cases in chief.

Discovery shall be commenced and completed no later than **September 23, 2025**, which is 240 days after the Fed. R. Civ. P. 26(f) conference or alternatively, and preferably by and between the parties, 240 days after such time as the Court has heard and decided the pending Motion to Dismiss filed on December 10, 2024. Notwithstanding the foregoing, the parties reserve the right to seek an extension of discovery provided they timely conduct discovery in good faith.

3. **Amending the Pleadings and Adding Parties:** Any motion to amend the pleadings or add parties shall be filed by **June 25, 2025**, which is 90 days prior to the discovery cutoff.

4. **Expert Disclosures:** The parties have agreed to a "staggered" expert discovery schedule, wherein Plaintiff will make initial expert disclosures, then Defendant will make initial and rebuttal expert disclosures, and finally Plaintiff will make rebuttal expert disclosures. The parties are requesting a staggered discovery schedule to avoid potential disputes over what constitute expert rebuttal opinions. The parties request this schedule to avoid anticipating what areas of expertise, if any, are necessary, and to minimize the unnecessary expense of retaining experts to address claims or defenses that are not being pursued. The parties propose the following schedule:

- Plaintiff's initial expert disclosures shall be served **June 25, 2025**, 90 days prior to the discovery cutoff.
- Defendant's initial and rebuttal expert disclosures shall be served **July 25, 2025**, 60 days prior to discovery cutoff.
- Plaintiff's rebuttal expert disclosures shall be served **August 22, 2025**, 30 days prior to the discovery cutoff.

5. **Dispositive Motions:** Dispositive motions, if any, shall be filed by **October 23, 2025**, which is 30 days after discovery cutoff.

1 6. **Pretrial Order:** A Joint Pretrial Order shall be filed by **November 21, 2025**,
2 which is 30 days after the deadline for filing dispositive motions. However, if any
3 dispositive motions are filed, then the Joint Pretrial Order shall be due 30 days after
4 decision on such motion(s). Disclosures under Fed. R. Civ.P.26(a)(3), and any, objections
5 thereto, shall be included in the Joint Pretrial Order.

6 7. **Alternative Dispute Resolution:** The parties met and conferred regarding
7 the possibility of using alternative dispute resolution processes, namely settlement
8 conference, arbitration and mediation. The parties agree that alternative dispute resolution
9 would not be effective at this time, but they are willing to revisit this issue after conducting
10 discovery.

11 8. **Alternative Forms of Case Disposition:** The parties met and conferred
12 regarding the use of a magistrate judge for all purposes or to submit to the Short Trial
13 Program. The parties do not agree to have this matter heard by a magistrate judge at this
14 time, but they are willing to revisit this issue at a later time.

15 9. **Electronic Discovery:** The parties discussed whether they intend to present
16 evidence in electronic format to jurors for the purpose of jury deliberations. At this time,
17 the parties have not made any stipulations regarding providing discovery in an electronic
18 format compatible with the Court's electronic jury evidence display system.

19 10. **Inadvertent Disclosure:** Pursuant to Fed. R. Evid. 502(d) and(e), the parties
20 both agree and request that entry of this order establish that inadvertent or mistaken
21 production or disclosure of documents or other information subject to the attorney-client
22 privilege, the work product doctrine, or other privilege shall not be deemed a waiver of a
23 claim of privilege, either as to the specific information disclosed or as to any other related
24 information for purposes of this or any other litigation. If a producing party inadvertently
25 produces or otherwise discloses to a receiving party information that is subject to such
26 privilege or immunity, the producing party shall promptly upon discovery of such
27 disclosure so advise the receiving party in writing and request that the inadvertently
28 disclosed information be returned, stricken or otherwise appropriately handled to reverse

1 the inadvertent disclosure. The receiving party shall return all copies of the inadvertently
2 produced material within five business days of receipt of the request and otherwise
3 cooperate to fulfill this agreement. Any notes or summaries referring or relating to any
4 inadvertently produced privileged material shall be destroyed.

5 11. **Modifications of Discovery Limits:** The parties believe that they can
6 complete discovery without exceeding the standard limits for depositions and
7 interrogatories.

8 Respectfully Submitted this 24th day of April, 2025.

9
10 **VAN LAW FIRM**

**McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP**

11
12 /s/ Noah A. Duran
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IT IS SO ORDERED: The parties' Amended Discovery Plan and Scheduling Order (ECF No. 32) is DENIED. It does not comply or address the Court's 04/23/25 Order (ECF No. 31). The parties shall review the Local Rules and the Court's 04/23/25 Order (ECF No. 31) and shall submit a compliant Discovery Plan and Scheduling Order by April 28, 2025. Failure to timely and fully comply with this Order and the Court's 04/23/25 Order (ECF No. 31) and submit a Discovery Plan and Scheduling Order that addresses the deficiencies identified in the Court's 04/23/25 Order (ECF No. 31) will result in the Court entering an order providing only 90 days for discovery.


UNITED STATES MAGISTRATE JUDGE

DATED: 4-25-25



Tracy May Paloma <tracy@vanlawfirm.com>

Zookin v. CSAA

Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>

Tue, Apr 22, 2025 at 6:59 PM

To: Rosemary Harper <rosemary@vanlawfirm.com>, Amanda Ebert <Amanda.Ebert@mccormickbarstow.com>

Cc: Tracy May Paloma <tracy@vanlawfirm.com>, Noah Duran <noah@vanlawfirm.com>, Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>, Maria Walters <Maria.Walters@mccormickbarstow.com>, Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>

Looks good, okay to e-sign for us, Rosemary. Thanks.

From: Rosemary Harper <rosemary@vanlawfirm.com>**Sent:** Tuesday, April 22, 2025 4:20 PM**To:** Amanda Ebert <Amanda.Ebert@mccormickbarstow.com>**Cc:** Tracy May Paloma <tracy@vanlawfirm.com>; Noah Duran <noah@vanlawfirm.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Maria Walters <Maria.Walters@mccormickbarstow.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>**Subject:** Re: Zookin v. CSAA

Apologies for the delay, please see attached.

On Tue, Apr 22, 2025 at 4:12 PM Amanda Ebert <Amanda.Ebert@mccormickbarstow.com> wrote:

Hi all,

Just a quick follow up, not sure if you saw but we are going to go ahead and vacate Plaintiff's deposition set for Thursday. Have you had a chance to put together an amended discovery plan and scheduling order pushing back Plaintiff's April 25 initial expert deadline? I am going to be doing a few depositions tomorrow, but can give your office a call during breaks if we need to discuss anything. Thanks!

From: Rosemary Harper <rosemary@vanlawfirm.com>**Sent:** Friday, April 18, 2025 1:24 PM**To:** Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>**Cc:** Amanda Ebert <Amanda.Ebert@mccormickbarstow.com>; Tracy May Paloma <tracy@vanlawfirm.com>; Noah Duran <noah@vanlawfirm.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Maria Walters <Maria.Walters@mccormickbarstow.com>**Subject:** Re: Zookin v. CSAA

Makes sense, I'll get that over to you most likely on Monday.

On Fri, Apr 18, 2025 at 1:06 PM Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com> wrote:

How about an amended one? Thanks!

From: Rosemary Harper <rosemary@vanlawfirm.com>**Sent:** Friday, April 18, 2025 1:02 PM**To:** Amanda Ebert <Amanda.Ebert@mccormickbarstow.com>**Cc:** Tracy May Paloma <tracy@vanlawfirm.com>; Noah Duran <noah@vanlawfirm.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Maria Walters <Maria.Walters@mccormickbarstow.com>**Subject:** Re: Zookin v. CSAA

We have submitted it already, but you're right about the expert deadline.

Perhaps we could file an Amended Discovery Plan, or a Stipulation to Extend the Deadlines?

On Fri, Apr 18, 2025 at 12:41 PM Amanda Ebert <Amanda.Ebert@mccormickbarstow.com> wrote:

Hi Rosemary,

Has this been submitted yet? Sorry- did not catch that this version included PL's experts for April 25. We should probably push that back a bit- can Noah circle back with me next week so we can discuss? Thanks!

From: Rosemary Harper <rosemary@vanlawfirm.com>

Sent: Thursday, April 17, 2025 9:55 AM

To: Amanda Ebert <Amanda.Ebert@mccormickbarstow.com>

Cc: Tracy May Paloma <tracy@vanlawfirm.com>; Noah Duran <noah@vanlawfirm.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Maria Walters <Maria.Walters@mccormickbarstow.com>

Subject: Re: Zookin v. CSAA

This was the most recent draft that was proposed. I believe it fell to the wayside while everyone was addressing the motion to dismiss. Let me know if this meets your approval.

On Thu, Apr 17, 2025 at 9:41 AM Amanda Ebert <Amanda.Ebert@mccormickbarstow.com> wrote:

Hello all,

I apologize that it took me so long to follow up on this, but was the proposed discovery plan ever submitted to the Court? Please let me know the status when you have a moment. Thanks!

Amanda Ebert

Of Counsel

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